

Regional Counsel, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box No. 7611, Washington, D.C. 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.25 (25 cents per page reproduction costs), payable to the Consent Decree Library. A copy of the exhibits to the decree may be obtained from the same source for an additional charge.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*

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DEPARTMENT OF JUSTICE

Notice of Extension of Time for Comments Relating to the Lodging of a Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, the Clean Water Act, and the Resource Conservation and Recovery Act

Notice is hereby given of an extension of time under which the Department of Justice will receive comments relating to the proposed Consent Decree in *United States and State of Idaho v. Union Pacific Railroad Co.*, Case No. 99-606-N-EJL (D. Idaho) and *Coeur d'Alene Tribe v. Union Pacific Railroad Co.*, Case No. CV 91-0342-N-EJL (D. Idaho). The proposed Consent Decree was lodged with the United States District Court for the District of Idaho on December 23, 1999 and previously noticed in the **Federal Register** on January 20, 2000 (65 FR 3249). The earlier noticed comment period would have expired on February 22, 2000, but comments will now be considered if received by March 8, 2000.

The Consent Decree settles claims by the United States, the State of Idaho, and the Coeur d'Alene Tribe (Tribe) asserted against Union Pacific Railroad Company (Union Pacific) under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9606 and 9607, and Section 311 of the Clean Water Act (CWA), 33 U.S.C. 1321. The Complaint of the United States and the State seeks injunctive relief requiring Union Pacific to implement the non-time-critical removal action selected by EPA, the State and the Tribe, for most of Union Pacific's 71.5-mile-long railroad right of way between Mullan and Plummer, Idaho (the ROW) and certain adjacent

areas (collectively the Project Area) in the Coeur d'Alene Basin in northern Idaho. The Plaintiffs' Complaints also seek past and future CERCLA response costs incurred by EPA, the Departments of the Interior (Interior) and Agriculture (Agriculture), the State, and the Tribe in connection with the Project Area and damages for injuries to natural resources throughout the Coeur d'Alene Basin.

The Consent Decree requires Union Pacific to implement the response action selected for the Project Area and specified additional work needed to convert the ROW into a biking/hiking trail for public use. The estimated total cost of this work is over \$25 million. In addition, Union Pacific agrees to pay (1) the past response costs incurred by the United States, the State and the Tribe in connection with the negotiations and the Engineering Evaluation and Cost Analysis (EE/CA) needed to select the response action (approximately \$600,000 for the United States); (2) \$2,730,000 to the State and the Tribe, primarily for their expected future costs of maintaining public amenities along the biking/hiking trail; (3) \$35,000 to fund educational activities to be conducted by Plaintiffs as part of the Response Action; (4) up to \$25,000 per year for 10 years to the Tribe for costs in incurs for operation and maintenance of the Chatcolet Bridge; (5) the future response costs of all three governments for oversight of the removal action; and (6) \$2,000,000 to Interior, Agriculture, and the Tribe for natural resource damages.

In exchange, Union Pacific will receive a covenant not to sue for response actions and costs relating to the Project Area (primarily the ROW) pursuant to Sections 106 and 107(a) of CERCLA, Section 311 of the CWA, and Section 7003 of RCRA. Union Pacific will also receive a covenant not to sue for natural resource damages under CERCLA and the CWA in the "Coeur d'Alene Basin Environment," an area that includes the watersheds of both the North and South Forks of the Coeur d'Alene River, the main stem of the Coeur d'Alene River, and Lake Coeur d'Alene.

Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, D.C. 20044-7611, should refer to *United States and State of Idaho v. Union Pacific Railroad Co.*, Case No. 99-606-N-EJL (D. Idaho), D.J. Ref. No. 90-11-3-128/1, and should be received by March 8, 2000. Commenters may request an opportunity for a public meeting in the affected area, in accordance with

Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The Consent Decree may be examined at the Office of the United States Attorney, First Interstate Center, 877 West Main Street, Suite 201, Boise, Idaho 83702 and at North Idaho College Library, 1000 West Garden Avenue, Coeur d'Alene, Idaho 83814. A copy of the Consent Decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$255.75 (25 cents per page reproduction cost, with exhibits) payable to the Consent Decree Library. If requesting a copy of the Consent Decree exclusive of exhibits, please enclose a check in the amount of \$27.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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Environment and Natural Resources Division.*

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DEPARTMENT OF JUSTICE

National Institute of Corrections

Cancellation of Solicitation for a Cooperative Agreement—Community Restorative Justice Outcomes/Measurements and Evaluations

AGENCY: National Institute of Corrections, Department of Justice.

ACTION: Cancellation of Solicitation for a Cooperative Agreement.

SUMMARY: The National Institute of Corrections announces the cancellation of the Solicitation: Community Restorative Justice Outcomes/Measurements and Evaluation. The NIC Application Number is 00A14, 65 Fr 6396 (February 9, 2000).

There are no plans to reannounce at this time.

Dated: March 1, 2000.

Morris L. Thigpen,

Director, National Institute of Corrections.

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